

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re EXPRESS SCRIPTS, INC.,
PBM LITIGATION

Master Case No. 4:05-md-01672-HEA

This Document Relates to:

*United Food and Commercial Workers
Health and Welfare Fund of
Northeastern Pennsylvania v. Express
Scripts, Inc., et al.,
Case No. 4:06-cv-01526-HEA*

STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff United Food and Commercial Workers Unions and Participating Employers Health and Welfare Fund and Defendants Express Scripts, Inc., Value Rx, Inc., National Prescription Administrators, Inc., Diversified Pharmaceutical Services, Inc. and Associated Prescription Services, Inc., pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), hereby stipulate to the dismissal of this entire action with prejudice, with each Party to bear their own respective attorneys' fees, costs, and expenses incurred in the defense and prosecution of this action.

DATED: October 4, 2011

/s/ Thomas M. Dee

Joseph P. Conran, #21635MO
Thomas M. Dee, #30378MO
Husch Blackwell LLP
190 Carondelet Plaza, Suite 600
St. Louis, MO 63105
(314) 480-1859
(314) 480-1505 (fax)

***Attorneys for Defendants Express Scripts,
Inc., et al.***

/s/ David A. McKay

David A. McKay
Herman Gerel, LLP
230 Peachtree Street N.W., Suite 2260
Atlanta, Georgia 30303-1515
(404) 880-9500
(404) 880-9605 (fax)

William H. Narwold
Motley Rice, LLC
20 Church Street, 17th Fl.
Hartford, CT 06103-1221
(860) 882-1681
(860) 882-1682 (fax)

***Attorneys for Plaintiff United Food and
Commercial Workers Health and Welfare
Fund of Northeastern Pennsylvania***